

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEMETRIO CORTEZ-JACINTO,

Defendant.

**8:16CR133**

**ORDER**

This matter is before the court on defendant's MOTION TO CONTINUE TRIAL AND TO EXTEND TIME FOR FILING MOTIONS [26]. The record shows that this deadline expired on June 15, 2016. The Court issued an Order scheduling Trial in this matter on June 16, 2016. The defendant's Motion to Extend Time for Filing Pretrial Motions was filed out of time. Additionally, the court finds that the defendant has not shown good cause for extending the pretrial motions deadline.

Upon consideration of the defendant's MOTION TO CONTINUE TRIAL AND TO EXTEND TIME FOR FILING MOTIONS (Filing No. 26), and after review of the status of the case, the Court finds that the Motion should be granted in part and denied in part.

**IT IS ORDERED:**

1. Defendant's MOTION TO CONTINUE TRIAL AND TO EXTEND TIME FOR FILING MOTIONS [26] is granted to the extent that a new trial date shall be set. The defendant is ordered to file the affidavit required by NECrimR 12.1(a) regarding speedy trial as soon as practicable.
2. The defendant's MOTION TO CONTINUE TRIAL AND TO EXTEND TIME FOR FILING MOTIONS [26] is denied to the extent that the Pretrial Motions Deadline shall not be reopened.
3. A new trial date shall be scheduled before Chief Judge Smith Camp by further Order of the Court.

Dated this 24th day of June, 2016

BY THE COURT:

s/ F.A. Gossett, III  
United States Magistrate Judge